

**Rec'd PCT/PTO 03 OCT 2005**

MAIL STOP MISSING REQUIREMENTS  
Attorney Docket: 26462U

#7

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Art Unit: Unknown

STERK

Examiner: Unknown

Serial no.: 10/523,111

Filed: February 3, 2005

Internatl. Appl. No.: PCT/EP2003/008724

Internatl. Filing Date: August 6, 2003

Title: **PIPERIDINE-PYRIDAZONES AND PHTHALAZONES AS PDE4 INHIBITORS**

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements of August 3, 2005, submitted herewith are the executed Declaration and Power of Attorney and the requisite government fee of \$130.00 for the late surcharge.

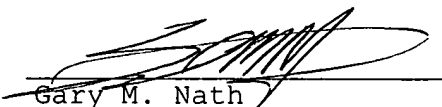
The Notification of Missing Requirements also states that a "Sequence Listing" has not been submitted as required by 37 CFR 1.821(c). Applicants respectfully submit that no Sequence Listing has been provided because the present application does not contain any nucleotide or amino acid sequences. Accordingly, applicants respectfully request that the USPTO withdraw the requirements regarding the submission of a Sequence Listing for the captioned application.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account Number 14-0112.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

Date: October 3, 2005

By:

  
Gary M. Nath  
Reg. No. 26,965  
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JC04 Rec'd /PTO 03 OCT 2005

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In re Application of:

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Title: PIPERIDINE-PYRIDAZONES AND PHTHALAZONES AS PDE4 INHIBITORS

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Copy of Notification of Missing Requirements Under 35 U.S.C. 371;
- (2) Response to Notification of Missing Requirements Under 35 U.S.C. 371;
- (3) Executed Declaration and Power of Attorney;
- (4) Check no.: 1003 in the Amount of \$ 130.00 for Late Declaration Surcharge as a Large Entity.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account Number 14-0112.

10/11/2005 GFREY1 00000098 10523111


01 FC:1617

130.00 DP

Date: October 3, 2005

Respectfully submitted,  
NATH & ASSOCIATES PLLC

By:

  
Gary M. Nath  
Reg. No. 26,965  
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GMN/SMM/le (NEMR.34375)



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 03 OCT 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,111	Jan Geert Sterk	26462U

034375  
 NATH & ASSOCIATES PLLC  
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INTERNATIONAL APPLICATION NO.	
PCT/EP03/08724	
I.A. FILING DATE	PRIORITY DATE
08/06/2003	08/10/2002

CONFIRMATION NO. 7580  
 371 FORMALITIES LETTER



\*OC000000016660199\*

Date Mailed: 08/03/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/03/2005
- Copy of the International Search Report filed on 02/03/2005
- Copy of IPE Report filed on 02/03/2005
- Preliminary Amendments filed on 02/03/2005
- Information Disclosure Statements filed on 04/28/2005
- Oath or Declaration filed on 02/03/2005
- U.S. Basic National Fees filed on 02/03/2005
- Assignment filed on 04/28/2005
- Priority Documents filed on 02/03/2005
- Specification filed on 02/03/2005
- Claims filed on 02/03/2005
- Abstracts filed on 02/03/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the application to which it is directed.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,111	PCT/EP03/08724	26462U

FORM PCT/DO/EO/905 (371 Formalities Notice)